

REFERENCE TITLE: workers' compensation; safety plans

State of Arizona
Senate
Forty-seventh Legislature
Second Regular Session
2006

SB 1374

Introduced by
Senator Leff: Representative McComish

AN ACT

AMENDING TITLE 23, CHAPTER 6, ARTICLE 4, ARIZONA REVISED STATUTES, BY ADDING SECTION 23-963.02; RELATING TO WORKERS' COMPENSATION.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:
2 Section 1. Title 23, chapter 6, article 4, Arizona Revised Statutes,
3 is amended by adding section 23-963.02, to read:
4 23-963.02. Employer discount for safety plans
5 A. EVERY INSURANCE CARRIER THAT PROVIDES WORKERS' COMPENSATION
6 COVERAGE IN THIS STATE SHALL PROVIDE A FIVE PER CENT DISCOUNT OFF THE BASE
7 RATE FOR THE EMPLOYMENT CLASSIFICATION OF THE EMPLOYER IF BOTH OF THE
8 FOLLOWING APPLY:
9 1. THE EMPLOYER ESTABLISHES OR MAINTAINS A COMPREHENSIVE WRITTEN
10 SAFETY PLAN.
11 2. THE EMPLOYER, THE INSURANCE CARRIER OR AN AGENT OF THE EMPLOYER OR
12 INSURANCE CARRIER SUBMITS TO THE COMMISSION A CERTIFICATION THAT THE EMPLOYER
13 HAS ADOPTED AND IMPLEMENTED A COMPREHENSIVE WRITTEN SAFETY PLAN.
14 B. THE CERTIFICATION THAT IS SUBMITTED UNDER SUBSECTION A IS VALID FOR
15 THREE YEARS AFTER THE DATE THAT THE CERTIFICATION IS SUBMITTED TO THE
16 COMMISSION UNLESS THE COMMISSION REVOKES THE CERTIFICATION UNDER
17 SUBSECTION C.
18 C. THE COMMISSION MAY REVOKE AN EMPLOYER'S CERTIFICATION IF THE
19 COMMISSION DETERMINES THAT THE EMPLOYER'S SAFETY PLAN IS NOT ADEQUATE WHEN
20 THE COMMISSION IS ENFORCING THIS TITLE. IF THE COMMISSION REVOKES AN
21 EMPLOYER'S CERTIFICATION, THE EMPLOYER IS NO LONGER ELIGIBLE FOR THE DISCOUNT
22 RATE UNDER SUBSECTION A UNTIL THE EMPLOYER SUBMITS A NEW CERTIFICATION AND A
23 NEW COPY OF THE EMPLOYER'S SAFETY PLAN TO THE COMMISSION.
24 D. THE EMPLOYER, THE INSURANCE CARRIER OR AN AGENT OF THE EMPLOYER OR
25 INSURANCE CARRIER MAY SUBMIT A NEW CERTIFICATION TO EXTEND OR RENEW
26 ELIGIBILITY FOR THE DISCOUNT UNDER SUBSECTION A.
27 E. ALL COMPREHENSIVE WRITTEN SAFETY PLANS THAT ARE CERTIFIED BY
28 EMPLOYERS UNDER SUBSECTION A SHALL CONTAIN ALL OF THE FOLLOWING:
29 1. MANAGEMENT COMMITMENT AND EMPLOYEE INVOLVEMENT.
30 2. WORKSITE ANALYSIS.
31 3. HAZARD PREVENTION AND CONTROLS.
32 4. SAFETY AND HEALTH TRAINING ABOUT THE PLAN AT LEAST ANNUALLY.